

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

U.S. DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

RTSP-0216

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR  
10/018,227

INTERNATIONAL APPLICATION NO.  
PCT/US00/16489

INTERNATIONAL FILING DATE  
June 15, 2000

PRIORITY DATE CLAIMED  
June 25, 1999

## TITLE OF INVENTION

Antisense Modulation of ETS-2 Expression

## APPLICANT(S) FOR DO/EO/US

Baker and Cowser

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

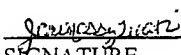
Copy of Notification of Missing Requirements

U.S. APPLICATION NO. (IF KNOWN) 37 CFR 10/018,227	INTERNATIONAL APPLICATION NO. PCT/US00/16489	ATTORNEY'S DOCKET NUMBER RTSP-0216
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24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b>				<b>CALCULATIONS PTO USE ONLY</b>	
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$0.00	
Surcharge of \$130.00 for furnishing the path or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$130.00	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	- 20 =	0	x \$18.00	\$0.00	
Independent claims	- 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$65.00	
<b>SUBTOTAL =</b>				\$65.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				\$65.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$65.00	
				<b>Amount to be:</b>	\$
				<b>refunded</b>	
				<b>charged</b>	\$

- a. ☒ A check in the amount of \$65.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1619 A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:	
Jane Massey Licata, Reg. No. 32,257 Kathleen A. Tyrrell, Reg. No. 38,350 Licata & Tyrrell P.C. 66 E. Main Street Marlton, New Jersey 08053  Telephone:(856) 810-1515 Facsimile:(856) 810-1454	
<div style="text-align: right;">   SIGNATURE   Jane Massey Licata  NAME   32,257  REGISTRATION NUMBER   March 20, 2002  DATE </div>	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: RTSP-0216  
Inventors: Baker et al.  
Serial No.: 10/018,227  
Filing Date: Not yet assigned  
Examiner: Not yet assigned  
Group Art Unit: Not yet assigned  
Title: Antisense Modulation of ETS-2 Expression

"Express Mail" Label No. EV123991638US  
Date of Deposit - June 24, 2002

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327 Arlington, VA 22202

By Kathleen A. Tyrrell  
Typed Name: Kathleen A. Tyrrell

Assistant Commissioner for Patents  
**BOX Sequence**  
United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

In response to the "Notification of Missing Requirements" dated **April 24, 2002**, a response to which is due **June 24, 2002**, enclosed herewith is:

(XX) Amendment under 1.825;

(XX) Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;

(XX) Substitute pages of the Sequence Listing;

(XX) Substitute copy of the computer readable form of Sequence Listing;

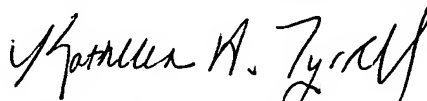
(XX) Copy of Notification of Missing Requirements;

( ) Petition for Three (3) Month Extension of Time;

(XX) Other: Copy of Response to Notification of Missing Requirements dated 2/7/2002 filed by Applicants on March 20, 2002 including copy of executed Declaration and Power of Attorney Form filed therewith.

The Commissioner is hereby authorized to charge any underpayment associated with this communication or credit any overpayment to Deposit Account No. 50-1619. This sheet is attached in duplicate.

Respectfully submitted,



Kathleen A. Tyrrell  
Registration No. 38,350

Date: June 24, 2002

Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: RTSP-0216

Inventors: Baker et al.

Serial No.: 10/018,227

Filing Date: Not yet assigned

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Title: Antisense Modulation of ETS-2 Expression

"Express Mail" Label No. EV123991638US  
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By Kathleen A. Tyrell  
Typed Name: Kathleen A. Tyrell

Assistant Commissioner for Patents  
**BOX Sequence**  
United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

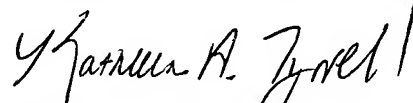
Dear Sir:

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 CFR §§ 1.821 THROUGH 1.825**

- ( ) I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.
- ( ) I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.

- ( ) I hereby state that the submission filed in accordance with **37 CFR §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- (XX) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform to the current Sequence Listing Rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- (XX) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing submitted herewith.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,

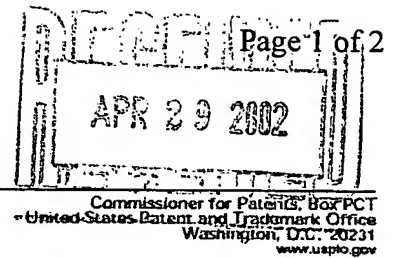


Kathleen A. Tyrrell  
Registration No. 38,350

Date: **June 24, 2002**

Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515



UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,227	Brenda F Baker	RTSP-0216

INTERNATIONAL APPLICATION NO.

PCT/US00/16489

I.A. FILING DATE	PRIORITY DATE
06/15/2000	06/25/1999

Licata & Tyrrell  
66 East Main Street  
Marlton, NJ 08053

Docket System ☒  
Status Report ☒  
Docket Book ☒

CONFIRMATION NO. 8840

371 FORMALITIES LETTER



\*OC000000007936746\*

Date Mailed: 04/24/2002

(MAX) 6/24/02  
6/24/02

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,227	PCT/US00/16489	RTSP-0216

FORM PCT/DO/EO/905 (371 Formalities Notice)



RECEIVED THE UNITED STATES  
PATENT TRADEMARK OFFICE  
for the PCT

Paper: Transmittal Letter; copy of Notification of Missing  
Requirements; executed Combined Declaration; our check for  
\$65.00 for Missing Requirements fee

Applicant(s): Baker and Cowser  
Serial No.: 10/018,227  
Filing Date: December 12, 2001  
Docket No.: RTSP-0216  
Date Sent: March 20, 2002

1354

LICATA & TYRRELL P.C.  
ATTORNEY TRUST ACCOUNT

66 EAST MAIN ST.  
MARLTON, NJ 08053

55-33/212

DATE March 10, 2002

BY THE ORDER OF Commissioner & Deputies

\$ 65.00

Sixty-five and 00/100

DOLLARS

 Security features included. Details on back.



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OR RTSP-0216

January 1, 2002

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